

The Little Traverse Bay Bands of Odawa Indians Tribal Council  
Tribal Court Room 7500 Odawa Circle, Harbor Springs, MI 49740  
September 22, 2002  
Smudging: 9:15 am  
9:30 am

Executive Session: yes

Call to order: Meeting was called to order at 9:46 am

Council present: Chairman Gerald V. Chingwa, Vice-Chairman George Anthony,  
Treasurer Alice Yellowbank, Secretary Fred Harrington Jr., Councilor Janet Shomin,  
Councilor Rita Shananaquet, Councilor Beatrice A. Law

Council absent: none

Staff present: See attached list

Guests: See attached list

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Motion made by Vice-Chairman George Anthony and supported by Secretary Fred Harrington Jr., to adopt the agenda as amended for September 22, 2002.

Vote: 6 Yes, 1 No (Councilor Rita Shananaquet), 0 Abstained, 0 Absent

Motion carried

Motion made by Vice-Chairman George Anthony and supported by Secretary Fred Harrington Jr., to approve the corrected minutes of September 8, 2002.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Janet Shomin and supported by Treasurer Alice Yellowbank, to ratify and enter into the record the phone poll dated September 11, 2002, Reason for Phone Poll: "Councilor Shananaquet has requested a phone poll to request a donation of \$2,500.00 from LTBB Enterprise Donations line item to pay for Health Food, Fruit and Beverages to be distributed at the Traditional Pow Wow and the Sovereignty Day activities. The request comes on behalf of the LTBB Health Commission." This action was required prior to the regularly scheduled meeting of September 22, 2002, the phone poll passed.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Vice-Chairman George Anthony and supported by Treasurer Alice Yellowbank, to ratify and enter into the record the phone poll dated September 18, 2002, Reason for Phone Poll: "We are conducting a phone poll to decide whether LTBB should make a contribution at a fundraiser today for Representative Fritz Hollings from South Carolina. The fundraiser is at noon today, so we must act quickly. Fritz Hollings, Representative from South Carolina is the Ranking Member on the Interior Appropriations Committee. Rep. Hollings and his staff have tremendous power over what monies go to the Department of the Interior and what monies trickle down to the Bureau

of Indian Affairs and ultimately to the Tribes. Rep. Hollings and his staff supported funding for C.O.R.A in the House of Representatives and made certain that C.O.R.A. received such funding when monies for the Tribal Environmental programs were cut. A fundraiser for Rep. Hollings is scheduled today at noon. Little Traverse is asked to send a representative to pledge \$1,000.00 to Rep. Hollings campaign. Although this is very short notice, Mr. Hollings position on the Interior Appropriations Committee carries enough importance to warrant support for the fundraiser event. The Little River Band pledged \$1,000.00. I suggest pledging \$500.00 for the fundraiser event, and if we see continuing positive results from Rep. Hollings in the future, we can revisit support for Rep. Hollings.” This action was required prior to the regularly scheduled meeting of September 22, 2002, the phone poll passed.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Janet Shomin and supported by Councilor Beatrice A. Law, to ratify and enter into the record the phone poll dated September 18, 2002, Reason for the Phone Poll: “In accordance with the LTBB’s Liquor Control Statute, we are respectfully requesting Tribal Council to approve a liquor license for the Victories Hotel. It is my understanding by talking with Jim Bransky, Tribal Attorney that we can accomplish this by doing a phone poll and by notifying Bryan Gillett, Tribal Planner to issue the license. This liquor license will run concurrently with the State issued liquor license. We were hoping to have our liquor license in time for a wedding reception we are catering at Victories Hotel on Saturday, September 21, 2002.” this action was required prior to the regularly scheduled meeting of September 22, 2002, the phone poll passed.

Vote: 6 Yes, 1 No (Councilor Janet Shomin), 0 Abstained, 0 Absent

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Vice-Chairman George Anthony, to accept the Tribal Administrator’s verbal and written report for September 22, 2002.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Beatrice A. Law and supported by Vice-Chairman George Anthony, to approve 2002 salary increases for 23 employees, as defined by the Wage Grid study conducted by Michael Goree, and approve \$48,585 in additional funding for implementation purposes.

Vote: 4 Yes, 3 No (Councilor Rita Shananaquet, Councilor Janet Shomin, Treasurer Alice Yellowbank), 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Beatrice A. Law and supported by Vice-Chairman George Anthony, to approve 2002 salary increases for 23 employees, as defined by the Wage Grid study conducted by Michael Goree, and approve \$48,585 in additional funding for implementation purposes to come from the Enterprise Fund, operations line.

support from Vice-Chairman George Anthony withdrawn, supported by Secretary Fred Harrington Jr.

Vote: 4 Yes, 3 No (Councilor Rita Shananaquet, Councilor Janet Shomin, Treasurer Alice Yellowbank), 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Beatrice A. Law and supported by Councilor Janet Shomin, to postpone action on the EDC budget until the EDC has reviewed the budget.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Treasurer Alice Yellowbank, to direct the Tribal Administrator to conduct research on the viability of establishing Tribal Burial grounds.

Vote: 5 Yes, 2 No (Councilor Janet Shomin, Councilor Rita Shananaquet), 0 Abstained, 0 Absent

Motion carried

11:35 am, recessed

11:47 am, reconvened

11:48 am, public comment opened, Catherine Laba, Andrew Stitch

11:49 am, public comment closed

Motion made by Secretary Fred Harrington Jr. and supported by Councilor Beatrice A. Law, to accept the Tribal Chairman's verbal and written report for September 22, 2002.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Councilor Rita Shananaquet, The Tribal Senior Accountant, Michelle Hadley, while speaking out of order during the Tribal Council meeting of September 8, 2002 publicly resigned, then demanded Tribal Council make concessions in her working conditions in order for her to return, whereas Native Americans that have been fired were summarily refused any opportunity to speak to the Council creating a discriminatory environment for Native Americans in our work place, therefore in order to restore equality in our work environment we will rehire all Native Americans (with the exception of myself) that were fired and were refused the opportunity to speak to Tribal Council about their circumstance, further those employees once rehired can not be re-fired for any conditions in their previous term of employment.

Vote: 3 Yes, 4 No (Councilor Beatrice A. Law, Vice-Chairman George Anthony, Chairman Gerald V. Chingwa, Treasurer Alice Yellowbank), 0 Abstained, 0 Absent

Motion failed

12:40 pm, recessed for lunch until 2:00 pm

2:10 pm, reconvened

Motion made by Secretary Fred Harrington Jr. and supported by Treasurer Alice Yellowbank, to renumber WAGANAKISING ODAWAK STATUTE NO. 2002-006, Education Commission Statute to WAGANAKISING ODAWAK STATUTE NO. 2002-008, Education Commission Statute.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Janet Shomin and supported by Councilor Beatrice A. Law, to approve the \$68,409.00 Election Board budget for FY 2003 to come from the Enterprise Fund Operations Line item.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Rita Shananaquet and supported by Vice-Chairman George Anthony, to authorize Chairman Chingwa to sign the Automated Election Services contract not to exceed \$18,000.00 for the 2003 primary and general elections.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Janet Shomin and supported by Councilor Beatrice A. Law, to authorize and support the Election Board's Community Information Workshop proposal for the remainder of 2002.

Vote: 6 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Rita Shananaquet)

Motion carried

Motion made by Vice-Chairman George Anthony and supported by Secretary Fred Harrington Jr., to direct the Enrollment Department to publish a new Tribal Directory by January 1, 2003.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Beatrice A. Law and supported by Vice-Chairman George Anthony, the cost of the Tribal Directory will come from the Enterprise Fund Governmental Operations line item unallocated funds.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Treasurer Alice Yellowbank, to reject Rita Shepard's resignations from the Trust Fund Board and Education Commission.

Vote: 6 Yes, 1 No (Councilor Rita Shananaquet), 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Beatrice A. Law and supported by Vice-Chairman George Anthony, to postpone our Government Building Open House Grand Opening until the month of May 2003 to coincide with the annual community meeting.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent  
Motion carried

Motion made by Councilor Janet Shomin and supported by Councilor Rita Shananaquet, to postpone action on Grandmother's Wisdom Policies & Procedures.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent  
Motion carried

Motion made by Councilor Janet Shomin and supported by Vice-Chairman George Anthony, to postpone action on the Contract Health Policies.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent  
Motion carried

Motion made by Councilor Janet Shomin and supported by Councilor Beatrice A. Law, to postpone action on the Substance Abuse Policies & Procedures.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent  
Motion carried

Motion made by Treasurer Alice Yellowbank and supported by Secretary Fred Harrington Jr., to allow the Northern Michigan Substance Abuse Services agreement to expire on September 30, 2002.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent  
Motion carried

Motion made by Vice-Chairman George Anthony and supported by Treasurer Alice Yellowbank, to approve Burial Fund Request #A0039 for \$5,000.00.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent  
Motion carried

4:05 pm, recessed

4:15 pm, reconvened

Motion made by Councilor Janet Shomin and supported by Treasurer Alice Yellowbank, to postpone action on the 401(k) Trustee Change.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent  
Motion carried

Motion made by Treasurer Alice Yellowbank and supported by Vice-Chairman George Anthony, to adopt resolution #092202-01, Establishment of Waawaashkesh (deer) Wild Area.

Roll Call Vote: Vice-Chairman George Anthony- yes, Chairman Gerald V. Chingwa- yes, Secretary Fred Harrington Jr.- yes, Councilor Beatrice A. Law- yes, Councilor Rita Shananaquet- yes, Councilor Janet Shomin- no, Treasurer Alice Yellowbank- yes

Vote: 6 Yes, 1 No (Councilor Janet Shomin), 0 Abstained, 0 Absent,  
Motion carried

Motion made by Councilor Janet Shomin and supported by Councilor Beatrice A. Law, to approve the letter of support for Michigan Indian Legal Services as drafted by James Bransky and to authorize the Chairman to sign the letter.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Councilor Rita Shananaquet, all NORAM documents, tapes, minutes of closed sessions, notes, and any other instruments related to the Tribe and NORAM with the exception of personal information, shall be released from confidential status and open to scrutiny by the Tribal Membership.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Janet Shomin and supported by Councilor Beatrice A. Law, to add to the work session of 11/2/02, the distribution plan for the 5% that is set aside from gaming revenues.

Vote: 2 Yes, 5 No (Councilor Rita Shananaquet, Vice-Chairman George Anthony, Chairman Gerald V. Chingwa, Treasurer Alice Yellowbank, Secretary Fred Harrington Jr.), 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Rita Shananaquet and supported by Vice-Chairman George Anthony, to plan a work session on October 12, 2002 10:00 am, to discuss the distribution plan.

Vote: 6 Yes, 1 No (Treasurer Alice Yellowbank), 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Janet Shomin and supported by Councilor Beatrice A. Law, to approve \$10,105.00 for our participation in the Middle Village Park Management Committee to come from the Enterprise Fund donations line item.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

The Tribal Chairman directed the Tribal Administrator to start working on a plan to develop the Jiingtamok grounds.

Motion made by Councilor Janet Shomin and supported by Treasurer Alice Yellowbank, support withdrawn, supported by Secretary Fred Harrington Jr., to approve and authorize Chairman Chingwa to sign the contractual agreement with E&LA, L.L.C. of East Lansing, for a term of one year commencing on Monday September 30, 2002 for professional services, to be funded from the Enterprise Fund, Governmental Operations, consultants and contracts line item.

Vote: 5 Yes, 2 No (Vice-Chairman George Anthony, Chairman Gerald V. Chingwa), 0 Abstained, 0 Absent

Motion carried

5:01 pm, Motion made by Vice-Chairman George Anthony and supported by Councilor Beatrice A. Law, to begin an executive session for legal.

Vote: 6 Yes, 1 No (Secretary Fred Harrington Jr.), 0 Abstained, 0 Absent

Motion carried

5:22 pm, Motion made by Vice-Chairman George Anthony and supported by Secretary Fred Harrington Jr., to return to open session.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Janet Shomin and supported by Councilor Beatrice A. Law, support withdrawn and supported by Councilor Rita Shananaquet, to direct James Bransky to retrieve and evaluate the contract with Asset Protection Specialist and stop action on this contract until an adequate contract is approved by the Legal Department and Gaming Regulatory Commission and to report back to Tribal Council.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Janet Shomin and supported by Vice-Chairman George Anthony, to add the Gaming Administration and the General Manager and Ken Mimmack to the agenda for the meeting of October 6, 2002.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

6:01 pm, Motion made by Secretary Fred Harrington Jr. and supported by Vice-Chairman George Anthony, to adjourn.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

These minutes have been read and approved as written:

Recorded by:

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Fred Harrington Jr., Tribal Secretary

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Date